

**CERTIFICATE OF EFS FILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR § 1.8 on January 29, 2010:

Name: Sheryl L. Hutchings

Signature: Sheryl L. Hutchings

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Kazuo Sugimoto et al.

Appln. No.: 10/810,792

Filed: March 26, 2004

For: VIDEO ENCODING  
APPARATUS, VIDEO  
ENCODING METHOD,  
VIDEO ENCODING  
PROGRAM, VIDEO  
DECODING APPARATUS,  
VIDEO DECODING  
METHOD AND VIDEO  
DECODING PROGRAM

Examiner: Holder, Anner N.

Art Unit: 2621

Confirmation No.: 9618

Attorney Docket No: 9683/180

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MAIL STOP ISSUE FEE

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(d), Applicants hereby cite the following reference:

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

Office Action dated December 22, 2009, issued in European Patent Application No. 04 007 397.5, 8 pages.

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy the listed reference as required under 37 CFR §1.98(a)(2). As the listed reference is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3).

Applicants respectfully request the Examiner's consideration of the above reference and entry thereof into the record of this application.


By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that the enclosed reference, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Applicants hereby certify pursuant to 37 CFR §1.97(e)(1) that no item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Applicants have further calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicants have authorized charging the fee to a deposit account as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

January 29, 2010

Date

  
Karl F. Horlander  
(Reg. No. 63,147)